

APPEAL NO. 032412
FILED NOVEMBER 5, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on August 12, 2003. With respect to the issues before her, the hearing officer determined that the respondent's (claimant) compensable injury includes reflex sympathetic dystrophy (RSD), a depressive disorder, peripheral neuropathy, arthritis, osteopenia, tendonitis, and neuralgia neuritis radiculitis; that the compensable injury does not include a sleep disorder, vasovagal syncope, osteoarthritis, and a gastric disorder; and that the claimant had disability, as a result of his _____, compensable injury, from November 9, 2000, through November 6, 2002. In its appeal, the carrier asserts error in the hearing officer's determinations that the compensable injury includes RSD, a depressive disorder, peripheral neuropathy, arthritis, osteopenia, tendonitis, and neuralgia neuritis radiculitis and that the claimant had disability from November 9, 2000, to November 6, 2002. In his response to the carrier's appeal, the claimant urges affirmance. The claimant did not appeal the determination that his compensable injury does not include a sleep disorder, vasovagal syncope, osteoarthritis, and a gastric disorder and that determination has, therefore, become final pursuant to Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in making the challenged extent-of-injury and disability determinations. Those issues presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer's determinations that the compensable injury includes RSD, a depressive disorder, peripheral neuropathy, arthritis, osteopenia, tendonitis, and neuralgia neuritis radiculitis and that the claimant had disability from November 9, 2000, to November 6, 2002, are supported by medical evidence from Dr. H, Dr. He, and Dr. B, and by the claimant's testimony. Nothing in our review of the record reveals that the challenged determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse them on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **FIDELITY & GUARANTY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Gary L. Kilgore
Appeals Judge